

**REMARKS**

The Application has been reviewed in light of the Office Action mailed March 24, 2009. At the time of this Office Action, Claims 1-93 were pending in the Application, of which Claims 1-93 were rejected. The following actions were taken or matters raised: (I) Claims 1-93 were rejected under 35 U.S.C. § 102(b) as being anticipated by Newnam (US No. 2002/0133827); (IV) Claims 21-23 and 37-39 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Newnam. In order to advance prosecution of this case by overcoming the rejections asserted by the Office and/or characterizing the invention with greater specificity, certain claims have been amended and Claims 85-93 have been canceled. Furthermore, remarks addressing the cited rejections and objections have been presented herein. Accordingly, the Applicants respectfully request reconsideration and favorable action in this case.

**Rejection of Claims Under 35 USC 102(b)**

Independent Claims 1, 9, 17, 18, 34, 50, 51, 62, 73, 74, 79, and 84 were rejected under 35 U.S.C. § 102(b) as being anticipated by Newnam et al (US 2002/0133827). The Applicants assert that, in view of amended independent Claims , 9, 17, 18, 34, 50, 51, 62, 73, 74, 79, and 84, the claimed invention as recited in independent Claims , 9, 17, 18, 34, 50, 51, 62, 73, 74, 79, and 84, and all other claims dependent thereon, is distinguished from Newnam and provides advantageous, useful and non-obvious functionality in view of Newnam. Accordingly, the Applicants submit that the rejection under 35 U.S.C. § 102(b) applied to Claims 1-20, 24-36, and 40-84 as being anticipated by Newnam is overcome and respectfully requests the Office to withdraw the rejections of independent Claims 1, 9, 17, 18, 34, 50, 51,

62, 73, 74, 79, and 84 and all claims dependent thereon under 35 USC 102(b) as being anticipated by Newnam.

With respect to amended independent Claims 1, 9 and 17, Newnam does not disclose, teach or suggest the recited structure or functionality of such amended claim. More specifically, Newnam does not disclose, teach or suggest: 1.) accessing a system-readable specification defining a multimedia experience configured for audience interaction, 2.) performing the multimedia experience in accordance with information comprised by the system-readable specification, 3.) said information comprised by the system-readable specification includes information for enabling facilitation of audience response tracking, experience navigation and feedback of audience responses, 4.) said information of the system-readable specification includes a plurality of experience segments that jointly define the multimedia experience, 5.) each one of said display elements specifies at least one display element thereof, 6.) said at least one display element has a multimedia asset associated therewith, and 7.) each one of said experience segments is configured in accordance with a specification format associating a multimedia asset with each display element thereof via a respective display element attribute. Accordingly, a skilled person will appreciate that the structure and associated functionality as provided by the invention as recited in independent Claims 1, 9 and 17 is not capable of being provided by and is not intended to be provided by implementations of the disclosures of Newnam.

With respect to amended independent Claims 18, 34 and 50, Newnam does not disclose, teach or suggest the recited structure or functionality of such amended claim. More specifically, Newnam does not disclose, teach or suggest: 1.) accessing a system-readable

specification defining a multimedia experience configured for audience interaction, 2.) the system-readable specification includes an experience segment having a plurality of display elements, 3.) the experience segment is configured in accordance with a specification format associating a multimedia asset with each display element thereof via a respective display element attribute, 4.) maintaining updates of experience feedback information, and 5.) performing said multimedia experience dependent upon information comprised by the system-readable specification and said experience feedback information. Accordingly, a skilled person will appreciate that the structure and associated functionality as provided by the invention as recited in independent Claims 18, 34 and 50 is not capable of being provided by and is not intended to be provided by implementations of the disclosures of Newnam.

With respect to amended independent Claims 51, 62 and 73, Newnam does not disclose, teach or suggest the recited structure or functionality of such amended claim. More specifically, Newnam does not disclose, teach or suggest: 1.) creating a system-readable specification defining a multimedia experience configured for audience interaction, 2.) the system-readable specification includes an experience segment having a plurality of display elements, 3.) the experience segment is configured in accordance with a specification format associating a multimedia asset with each display element thereof via a respective display element attribute, 4.) designating a feedback information action for enabling corresponding experience feedback information to be updated accordingly in response to performing the multimedia experience, and 5.) associating the feedback information action with the system-readable specification whereby performing the multimedia experience is dependent upon said corresponding experience feedback information. Accordingly, a skilled person will appreciate that the structure and associated functionality as provided by the invention as

recited in independent Claims 51, 62 and 73 is not capable of being provided by and is not intended to be provided by implementations of the disclosures of Newnam.

With respect to amended independent Claims 74, 79 and 84, Newnam does not disclose, teach or suggest the recited structure or functionality of such amended claim. More specifically, Newnam does not disclose, teach or suggest: 1.) specifying a manner in which audience response tracking is performed, 2.) specifying a manner in which experience navigation is performed, 3.) specifying a manner in which feedback of audience responses are performed, 4.) specifying the manner in which said response tracking, said experience navigation and said feedback of audience response is performed includes creating a plurality of experience segments each having at least one display element and 5.) each one of said experience segments is configured in accordance with a specification format associating a multimedia asset with each display element thereof via a respective display element attribute. Accordingly, a skilled person will appreciate that the structure and associated functionality as provided by the invention as recited in independent Claims 74, 79 and 84 is not capable of being provided by and is not intended to be provided by implementations of the disclosures of Newnam.

**Rejections of Claims Under 103(a)**

Dependent Claims 21-23 and 37-39 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Newnam (US 2002/0133827). The Applicant respectfully submits that the rejection of dependent Claims 21-23 and 37-39 as being unpatentable over Newnam under 35 U.S.C. § 103(a) is overcome. Specifically, in view of the amendments and arguments presented above with respect to rejection of independent Claims 18 and 34 under 35 U.S.C. §

102(b), the Applicant submits that the claimed invention as recited in dependent Claims 21-23 and 37-39, which depend respectively from independent Claims 18 and 34, is novel and non-obvious with respect to Newnam. Accordingly, the Applicant submits that the rejections under 35 U.S.C. § 103(a) applied to dependent Claims 21-23 and 37-39 have been overcome and respectfully requests the Office to withdraw the rejection of Claims 21-23 and 37-39 under 35 U.S.C. § 103(a) being unpatentable over Newnam.

**CONCLUSIONS**

The Applicants have made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for reasons clearly apparent, the Applicants respectfully request full allowance of all pending claims. If there are any matters that can be discussed by telephone to further the prosecution of the Application, the Applicants invite the Examiner to contact the undersigned at 512-306-8533 at the Examiner's convenience.

Respectfully submitted,

By: 

Raymond M. Galasso  
Reg. No. 37,832

Correspondence Address:  
Galasso & Associates, LP  
P.O. Box 26503  
Austin, Texas 78755-0503  
(512) 306-8533 telephone  
(512) 306-8559 fax